

VIA eFILE

PATENT APPLICATION

Docket No.: 17601.15a.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	
	Kenneth Michlitsch)	
)	
Serial No.:	10/523,219)	Art Unit 3773
)	
Filed:	October 19, 2005)	
)	
For:	Autologous Wound Sealing Apparatus)	
)	
Confirmation No.:	8323)	
)	
Examiner:	Gregory A. Anderson)	
)	
Customer No.:	57360)	

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

VIA eFILE Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant gratefully acknowledges the allowance by the Examiner of claims 21, 22, 24-26, 31-42, 44, and 45. In the statement of reasons for allowance, the Examiner noted that “the IDS submitted 15 March 2010 has been considered it has been determined that the prior art cited in the IDS does not read over the claims since the prior art of the IDS does not disclose a device for sealing a puncture tract comprising a housing comprising an outer tube and an inner tube, the inner tube having a plurality of lateral openings in fluid communication with the outer tube, the lumen configured to receive a volume of blood and a blood congealing agent to form the plug.”

Applicant submits that the Examiner's statement appears to at least suggest that patentability of Applicant's invention(s) derives from the combination of the identified limitations recited above. However, Applicant respectfully wishes to clarify that patentability does not depend on a single limitation, or subset of limitations. Rather, the patentability of the invention(s) defined by a claim (or claims) must be considered with reference to the claim as a whole.

Dated this 30th day of June, 2010

Respectfully submitted,

/Paul N. Taylor, Reg.# 57271/

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